

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

IN RE: PORK ANTITRUST LITIGATION

Case No. 0:18-cv-01776-JRT-HB

IN RE: PORK ANTITRUST LITIGATION

Case No. 0:21-md-02998-JRT-HB

This Document Relates To:

*Action Meat Distributors, Inc. et al. v. Agri Stats, Inc. et al.*, Case No. 0:21-cv-01454 (D. Minn.); and

*Giant Eagle, Inc. v. Agri Stats, Inc. et al.*, Case No. 0:21-cv-01874 (D. Minn.)

**STIPULATION OF DISMISSAL WITH PREJUDICE OF CLAIMS  
BY THE ACTION MEAT DIRECT ACTION PLAINTIFFS  
AND DIRECT ACTION PLAINTIFF GIANT EAGLE, INC.  
AGAINST DEFENDANT JBS USA FOOD COMPANY**

The parties in the above styled actions, through counsel, stipulate to the following, and respectfully request this Court's approval of their stipulation:

1. This Stipulation is between Direct Action Plaintiffs Action Meat Distributors, Inc., Topco Associates, LLC, Alex Lee, Inc./Merchants Distributors, LLC, Associated Food Stores, Inc., Brookshire Grocery Company, Certco, Inc., Colorado Boxed Beef Co., f/k/a CBBC Opc, LLC, The Golub Corporation, Nicholas & Co., Inc., PFD Enterprises, Inc., d/b/a Pacific Food Distributors, Inc., SpartanNash Company, Springfield

Grocer Company, Inc. d/b/a SGC Foodservice Company Inc, The Distribution Group d/b/a Van Eerden Foodservice Co, Troyer Foods, Inc., and URM Stores, Inc. (collectively, the “*Action Meat* Plaintiffs”), Direct Action Plaintiff Giant Eagle, Inc. (“Giant Eagle”), and Defendant JBS USA Food Company (“JBS USA”).

2. This Stipulation relates only to the *Action Meat* Plaintiffs’ and Giant Eagle’s claims in *In re: Pork Antitrust Litigation*, Case No. 0:18-cv-01776-JRT-HB, *In re: Pork Antitrust Litigation*, 0:21-md-02998-JRT-HB (MDL No. 2998), *Action Meat Distributors, Inc. et al. v. Agri Stats, Inc. et al.*, Case No. 21-cv-01454-JRT-HB, and *Giant Eagle, Inc. v. Agri Stats, Inc. et al.*, Case No. 21-cv-01874-JRT-HB (collectively referred to as the “Actions”).

3. In accordance with Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the *Action Meat* Plaintiffs, Giant Eagle, and JBS USA stipulate and agree to the dismissal, with prejudice, of the *Action Meat* Plaintiffs’ and Giant Eagle’s claims asserted against JBS USA in the Actions with each side bearing its own attorneys’ fees and costs. The Stipulations of Dismissal, with prejudice, have no bearing on the *Action Meat* Plaintiffs’ and Giant Eagle’s claims against Defendants other than JBS USA.

Dated: March 3, 2022

/s/ Robert N. Kaplan

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Respectfully submitted,

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